

YOUTH SERVICES POLICY

Title: Telecommuting and Alternative Work Site Policy Next Annual Review Date: 05/18/2010	Type: A. Administrative Sub Type: 2. Personnel Number: A.2.51
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References: Fair Labor Standards Act; YS Policy No. A.2.7 "Drug-Free Workplace"	
STATUS: Approved	
Approved By: Mary L. Livers, Deputy Secretary	Date of Approval: 05/18/2009

I. AUTHORITY:

Deputy Secretary of Youth Services as contained in La. R.S. 36:405.

II. PURPOSE:

To establish the Deputy Secretary's policy for allowing selected agency employees to work from alternative work sites, including from home, in order to attract and retain a diverse and talented workforce, reduce costs, improve productivity, and support national and state policies promoting clean air and traffic mitigation. The purpose of this policy, also, is to assist management in understanding the telecommuting environment and to outline the process under which telecommuting arrangements are made.

III. APPLICABILITY:

All Unit Heads of Youth Services; select professional staff identified by management for participation in a telecommuting arrangement.

IV. DEFINITIONS:

Alternate Work Location - Approved work site, other than the employee's primary work location, where official state business is performed.

Primary Work Location - An employer's place of work; where an employee is normally located.

Telecommuting - A management tool that provides flexibility in meeting the agency's business needs through a work arrangement that allows regular, classified professional employees to utilize remote access technology to perform

their usual job duties away from the agency worksites where official state business is performed. Such locations may include, but are not limited to, an employee's home or at another, agency-designated or approved remote work location.

Unit Head – Deputy Secretary of Youth Services, Assistant Secretary, Undersecretary, Chief of Operations, Chief of Staff, Deputy Assistant Secretaries, Deputy Undersecretary, Facility Directors, and Regional Managers.

Work Agreement - The written agreement between the employer and the employee that details the terms and conditions of an employee's work away from his/her primary work location. The Work Agreement shall be maintained in the employee's file in the Human Resources Department and a copy in the Supervisory file, which must be readily available for audit purposes. Approval lines for the Work Agreement shall include the Deputy Secretary. The supervisor shall ensure that a Work Agreement is updated and completed no less than annually.

Work Schedule - The employee's approved work hour schedule regardless of the work location.

V. POLICY:

It is the Deputy Secretary's policy to have work performed normally at agency sites. Exceptions to this policy are permitted according to the guidelines below.

VI. PROCEDURES:

A. Eligibility

Telecommuting is a management option and not an employee option; telecommuting is not suitable for all employees or all positions. A Work Agreement, signed by all parties, shall contain mutually understood telecommuting arrangements. The following requirements shall be met in order for an employee to be identified for telecommuting from an alternative work location.

1. To be eligible for telecommuting, an employee must have completed a minimum of six months of satisfactory employment with YS. Requests for participation prior to six months of satisfactory employment may be approved on a case-by-case basis by the Appointing Authority.
2. In certain cases, telecommuting may be a requirement of the position, and employees will be so notified at the time of hire.

3. Employees identified for a telecommuting arrangement are responsible for ensuring dependable phone and Internet access at the alternative work site.
4. Before the initiation of telecommuting or work from alternative sites, an Alternative Work Agreement shall be completed and signed by the employee and the direct supervisor who will be accountable for evaluating the performance of the employee. In addition, the Deputy Secretary shall sign to document approval of the alternative work arrangement.

B. Conditions of Employment in a Telecommuting Environment

Telecommuting or assignment of an Alternative Work Location does not change the conditions of employment or required compliance with state Civil Service or Youth Services policies and procedures. The employee will continue to comply with federal, state, and agency laws, policies, and regulations while working at the alternative work location.

1. An employee's compensation and benefits shall not change as a result of telecommuting or working from an alternative work location.
2. The employee shall have the same leave coding as employees at their primary location.
3. Telecommuting is not intended to serve as a substitute for child or adult care nor to allow other personal business during agree-upon work hours.
4. Time sheets shall be completed for each pay period and submitted either electronically or in hard copy, as outlined in each case-by-case Work Agreement, by the last day of the pay period.
5. Should circumstances arise whereby the telecommuter cannot work from home or the alternative work location, i.e., loss of electricity, home emergencies, loss of Internet access, etc., the telecommuter must contact his/her supervisor. The employee's supervisor shall decide if applicable leave may be granted or if alternative work hours be assigned to ensure a full work day/week.
6. Total work hours are expected to be equal to that of an employee working at the agency work site and shall be documented as part of the mutual Work Agreement. When attendance at office meetings is

required, arrangements can be made for remote access (teleconference) if approved by the supervisor.

7. Telecommuting is not intended to be used in place of annual, sick, Family & Medical, or other types of leave. Requests to work overtime or to use sick, annual or other leave must be approved in advance by the immediate supervisor in the same manner, and in accordance with, the time and attendance procedures as when working at the primary agency location.
8. Employees must safeguard agency information used or accessed while telecommuting. All agency records, files, and documents must be protected from unauthorized disclosure or damage and returned safely to the primary workplace when projects are completed.
9. Telecommuting is not intended to permit employees to have time to work at other jobs or run their own businesses. Failure to fulfill work hours as agreed upon in the Alternative Work Agreement because of other employment may be cause for disciplinary action or termination of employment.

C. General Provisions

1. The Deputy Secretary shall approve the positions and the employees for telecommuting after requests are submitted by Unit Heads or direct supervisors. Conditions that shall be considered are listed below.
 - a. Quality of service to the agency and to YS stakeholders can be maintained and even improved;
 - b. The employee identified for telecommuting has demonstrated sustained high performance, and the supervisor and/or Unit Head believes that the employee can maintain the expected quality and quantity of work while telecommuting;
 - c. The employee identified to work from an alternative work site does not supervise employees who are assigned to work at the agency's regular work sites; and
 - d. Specific, measurable work products can be monitored by output and not time spent doing the job.

2. The supervisor is responsible for work assignments, performance reviews, any investigations into injury or accident reports, and maintaining the conditions outlined in the signed Work Agreement.
3. When employees are authorized through the Alternative Work Agreement to use their own equipment, YS will not assume responsibility for its cost, nor for repairs or service.
4. Prior approval for the use of any state-owned equipment shall be documented in the Alternative Work Agreement. Justification is required for the use of state-owned equipment at sites other than agency work sites. If authorized, state-owned equipment shall be used only for state purposes by authorized personnel. Employees are responsible for protecting state-owned equipment from theft, damage, and unauthorized use.
5. Workers Compensation Liability - Job-related injuries may occur during an employee's established work hours at an alternative work location. Any work-related injuries must be reported to the employee's supervisor immediately. Employees who report accidents at an alternative work location may be subject to drug testing in accordance to the agency's Drug Free Workplace policy. The employee understands that he/she remains liable for injuries or damage to the person or property of third parties or family members on the premises and agrees to indemnify and hold Youth Services harmless from any and all claims for losses, costs, or expenses asserted against Youth Services by third parties or members of the employee's family.
6. All telecommuting arrangements can be revoked by the agency at any time and for any reason. In addition, an employee participating under an Alternative Work Agreement may discontinue participation in telecommuting at any time, except in those circumstances where telecommuting is required of the position.
7. The employee should be taxed according to the laws of the state where the work is performed, not where the administrative unit is located.
8. Youth Services assumes no liability for injuries occurring in the employee's home workspace outside of work hours. For their own protection, employees who telecommute for work should ensure their homeowners/tenants liability policy will cover bodily injury and property damages arising out of or relating to the business use of their home.

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